

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Panchayat Raj and Rural Development Department - Sri K.Nageswara Rao, the then Assistant Executive Engineer, PR, P.Gangavaram (M), East Godavari District and Presently absconded from duties - Departmental proceedings under Rule 20 of the APCS (CC&A) Rules, 1991 - Article of Charges - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 843

Dated. 04.09.2014.

Read the following:

- 1.From the DG, V&E, Hyd., Vigilance Report No.50(171/V&E/E2/2008), dt.29.04.2013.
- 2.Govt.Memo No.12791/Vig.II/A2/2013-1, dt.31.12.2013.
- 3.From the ENC, PR, Hyd., Lr.No.Vig.II(2)/11046/2014, dt.24.01.2014.

ORDER:

It is proposed to hold an inquiry against Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District and Presently absconded from duties in accordance with the procedure laid down in rule 20 of APCS(CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District and Presently absconded from duties is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District and Presently absconded from duties is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District and Presently absconded from duties is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available on record.

6. Attention of Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District and Presently absconded from duties is invited to Rule 24 of the APCS(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Govt., If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri K.Nageswara Rao, the then Assistant Executive Engineer, Panchayat Raj, P.Gangavaram (M), East Godavari District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of APCS(Conduct) Rules, 1964.

(PTO)

::2::

7. The receipt of the order be acknowledgment.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT

To

Sri K.Nageswara Rao, the then Assistant Executive Engineer, PR.,
P.Gangavaram (M), East Godavari District and Presently
absconded from duties through Engineer-in-Chief, PR, Hyderabad.

The Engineer-in-Chief, PR, Hyderabad.

(with a request to serve the charges to the individual and
furnish a served copy to Govt.,)

Copy to:

The PR&RD (Estt.I) Department.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.

ANNEXURE - I

Statement showing the Draft Article of Charges against Sri K.Nageswara Rao, the then Assistant Executive Engineer, PR, P Gangavaram (M), presently absconded from duties

Charge:

that Sri K.Nageshwera Rao ,the then Assistant Executive Engineer, PR, P.Gannavaram, EG Dist now absconding from duties has misused his official position for his personal gain and committed allegations of irregularities in the execution of the work “Road from (R&B) road to Bheemakrosupalem sanctioned under PMGSY As he has not obtained sealed quotations for material supply and the quotations were obtained for huge amounts which is beyond the powers of SE(PR) and EE(PR), excess payment made to the material supplier and failed to monitor payment made to the material suppliers as the payment were made to other individuals resulting loss to the Govt., exchequer in contravening the APCS Rules, 1964

Basis:

The V&E has inspected the work ““Road from (R&B) road to Bheemakrosupalem on 16-08-2008 and communicated Report No.50(171/V&E/E2/2008), dt:29-04-2013 and observed the following:

The work “Road from (R&B) road to Bheemakrosupalem, was administratively sanctioned vide G.O.Rt. No.173 PR & RD dept dated:28.04.2007 for Rs.73.22 lakhs under PMGSY Scheme and Technical sanction was accorded for Rs. 73.22 lakhs by the Chief Engineer, PR, Hyderabad vide CR No Nil/07-08 dated: 10.05.2007.

- Quotations were taken from three individuals i.e i) Sri C.Vara Prasad Rao, Class 1 contractor, Ravulapalem ii) Sri P.Srinivas Reddy Contractor, Rajahmundry iii) Sri S.Satyanarayana Reddy, Sree Sitatamanjaneya Lorry Service, Ubalanka, Ravulapalem (M) for supply of material, widening of existing embankment and from i) Sri P Satyanarayana Reddy, Class 1 Contractor ii) Sri K.Ammi Reddy, Class II Civil Contractor & iii) Sri M.Anjaneya Reddy, Class-1, Contractor for providing BT layer which is a finished item of work, without following departmental norms and procedure.
- Comparative statements were prepared and the lowest quotation of Sri S.Satyanarayana Reddy , Sri Sitaramnjanaya Lorry Service, Ubalanka, Ravulapalem(M) for supply of material & widening of existing embankment and Sri M.Anjneya Reddy Class-1, Contractor for providing BT layer were recommended for approval by the then EE(PR) Dn Rajahmundry.
- The then SE,PR Kakinada approved the same and work orders were issued for supply material, providing BT layer, construction & Widening of existing embankment etc., to two firms i.e., Sri S.Satyanarayana Reddy, Managing Director, Sri Sitaramanjaneya Lorry Service & Sri M.Anjaneya Reddy for Rs 36,22,819/- & Rs 24,14,354/- respectively amounting Rs 60,37,173/- and the details of the work orders are as follows.

Sl. No.	Work Order No & Date	Work order issued to	Items	Amount
1	AE3/PMGSY/06-07 Dt:03-09-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Grade-II HBG Metal (63 to 45mm) Screening chips (11.20mm), Quarry dust	1,267,798.00
2	AE3/PMGSY/06-07 Dt:03-09-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Construction of widening of existing embankment inclusive of	183,161.00

			compaction	
3	AE3/PMGSY/06-07 Dt:01-10-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Grade-III HBG metal (53 to 22.4mm), screening chips (11.20mm)	1,427,950.00
4	AE3/PMGSY/06-07 Dt:07-11-2007.	Sri M.Anjaneya Reddy, Spl. Class Contractor, Rajahmundry	Single coat surface dressing, tack coat, OGPC+SC	2,414,354.00
5	AE3/PMGSY/06-07 Dt:10-12-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Supply of gravel	743,910.00
			Total	6,037,173.00

- The Deputy Executive Engineer, PRI SD Ramachandrapuram in his letter dated: 11.03.2013, has informed that there were no records available in the office regarding invitation of sealed quotations for the work. It is observed that the quotations were received in the name of the EE, but there were no initials of the officers who opened the quotations. Hence it is only an afterthought to show that sealed quotations were invited for supply of material by the Departmental officials.
- Sealed quotations were not invited from the Contractors for supply of material/labour duly giving wide publicity. Minimum requirements in selection of the material supplier/labour were not followed like eligibility of the Contractor in supply of material/labour, registrations details and notification in the local papers for supply of material. Further the minimum contract conditions such as EMD, time for supply of material, defect liability period etc., were not mentioned in the quotations.
- Verification of work order revealed that there is a formal agreement with the material supplier for such huge magnitude of work and there is no mention about the EMD to be collected, execution period, defect liability period, statutory deductions to be made and other contractual obligations.
- Verification of Bank statement and record produced by the field engineers regarding details and disbursement revealed that, two cheques for Rs. 23,64,680/- & Rs.22,27,820/- were received by the AEE, PR, K.Gannavaram (M) towards for L.S 1st bill and L.S 2nd part bill respectively and credited the same in SBH, Kakindada on 06.11.2007 and 18.12.2007 along with other work cheques. The amount was disbursed to Sri C.VAraprasad, Sri D Sridhar and D Esvera Rao instead of lowest quoted agency M/s Seetha Ramnajneya Lorry service represented by Sri S.Satyanaryana Reddy.
- The CC 3rd part bill was prepared by A Nageshwara Rao, the then MEO, RC puram as the AEE, PR of K.Gannavaram(M)fell ill and the amount towards the work done items was paid to him through cheque for Rs 20,80,338/-and the same was credited in the account of MEO, RC Puram. Sri A.Nageshwara Rao, the then MEO, Ramachanrapuram withdrawn cash from the bank for disbursement and the details of disbursement are not recorded as payment was made in cash. No cheque payment was done to the suppliers by the MEO, Ramachanrapuram.
- The then CE, PMGSY, Hyderabad has called for explanation from Sri P.Prabhakar Reddy, the then SE(PR) for approving quotations for the finished items of work such as Single coat surface dressing, tack coat & OGPC+SC, But the then SE did not submit any explanation to the CE.
- Collection of metal, gravel was recorded in the register and M.Books. Payments were made with the working estimate rates of finished items of work. The rates in the work orders are higher than the approved working estimates rates for items of Grade-III HBG Metal, Single coat surface dressing, tack coat, OGPC & seal coat and for all the other items of work the approved quotation rates are either less than or equal less than or equal to the working estimate rates .

The CE(PMGSY),PR in his memo vide Para no 4, has instructed that the payment should be made as per the approved working estimate rate or as per vouchers whichever is less, even then the instructions were not followed. The difference in cost of approved working estimate rates & work orders is Rs 2, 55,895/-.

Therefore, the above individual has failed to discharge his legitimate duties properly and failed to follow the departmental procedure and invite quotations for supply of material in local NEWS Paper even though the cost of work is more than Rs.70.00 Lakhs resulting loss to the Govt. exchequer and thus his action is violation of APCS Rules.

Hence, the Charge.

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-II

**LIST OF DOCUMENTS FOR WHICH THE ARTICLES OF CHARGES ARE
PROPOSED TO BE SUSTAINED**

V & E Report No.50 (171/V&E/E2/2008), dt:29-04-2013 of General
Administration (Vigilance & Enforcement Department) Department.

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-III

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE PROPOSED
TO BE SUSTAINED,**

- NIL -

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER